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**HOUSE MEMORIAL 42**

**48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

**INTRODUCED BY**

**Mimi Stewart**

**A MEMORIAL**

**REQUESTING THE STATE ENGINEER TO EVALUATE AND MAKE  
RECOMMENDATIONS RELATING TO WATER DEVELOPMENT PLANNING  
AUTHORITY FOR MUNICIPALITIES, COUNTIES, SCHOOL DISTRICTS,  
STATE UNIVERSITIES, MEMBER-OWNED COMMUNITY WATER SYSTEMS,  
SPECIAL WATER USERS ASSOCIATIONS AND REGULATED PUBLIC WATER  
AND ELECTRIC UTILITIES.**

**WHEREAS, the state of New Mexico wishes to conserve and  
preserve its water supplies for use by its residents; and**

**WHEREAS, the state must consider implications of  
interstate commerce as it strives to preserve and protect its  
precious water supplies; and**

**WHEREAS, it is recognized by the state of New Mexico that  
the public welfare of the state and conservation of water  
within the state are promoted by allowing municipalities,**

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1 counties, school districts, state universities, member-owned  
2 community water systems, special water users associations and  
3 public utilities supplying water to municipalities or counties  
4 to acquire and hold water rights for a forty-year water  
5 development period, provided that they can show reasonably  
6 projected needs within forty years; and

7 WHEREAS, it is recognized that the provision of water by  
8 all public water utilities that are regulated by the public  
9 regulation commission is essential to the public health and  
10 welfare and the conservation of water within the state; and

11 WHEREAS, electric generation facilities, which use water  
12 as a part of the generation process, are essential to the  
13 public health and welfare of the residents of the state and  
14 need the ability to plan for additional generation facilities  
15 to provide power to future generations of New Mexico  
16 residents; and

17 WHEREAS, there have been proposals to extend the forty-  
18 year planning period to a one-hundred-year period for water  
19 planning purposes for water used by municipalities and other  
20 entities; and

21 WHEREAS, it is important to the planning for the future  
22 of New Mexico and its residents that the state engineer  
23 convene representative stakeholders to inform the state  
24 engineer of their unique water planning needs for the purpose  
25 of aiding the development of a set of recommendations to

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1 address the issues stated above;

2 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
3 REPRESENTATIVES OF THE STATE OF NEW MEXICO that, in order to  
4 conserve, preserve and develop the state's precious water  
5 supplies to effectively plan for the future, the state  
6 engineer be requested to convene representative stakeholders  
7 for the purpose of informing and making recommendations to the  
8 state engineer relating to planning authority that should be  
9 allowed to municipalities, counties, school districts, state  
10 universities, member-owned community water systems, special  
11 water users associations and regulated water and electric  
12 public utilities; and

13 BE IT FURTHER RESOLVED that interstate commerce  
14 limitations on the state's ability to conserve the state's  
15 water supplies be included in the evaluation; and

16 BE IT FURTHER RESOLVED that the state engineer report the  
17 state engineer's recommendations to the appropriate interim  
18 legislative committee by August 1, 2007; and

19 BE IT FURTHER RESOLVED that copies of this memorial be  
20 transmitted to the governor and the state engineer.